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6. 3087D

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AHMAD, A

158

03/21/91

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-7 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-7 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

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15.

Claims 1-5 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "overlying said insulated roofboard member" is not clear as to whether it lays on top of the blocks or it also fills the channels between the blocks.

16.

Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The drawing fail to show the peripheral edges of the roofboard structure as claimed.

17.

The disclosure is objected to because of the following informalities: numerals 14C stated in page 7, line 15 and 10 stated in page 13, line 11 of the specification could not be located in the drawings. Appropriate correction is required.

18.

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

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A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

19.


Claims 1-7 are rejected under 35 U.S.C. § 103 as being unpatentable over Elder in view of Clarvoe. Elder discloses a roof structure and roofing material disposed thereover wherein the insulation layer is provided with a protective layer (col. 2, lines 37-40), suitably a polyvinyl chloride sheet (col. 3, lines 50-60). The insulation layer is provided with air passageways in the shape of channels that run perpendicular to each other (fig. 2) on its top surface. However, this reference fails to show peripheral edges having channels connected thereto.

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Clarvoe teaches a roofing membrane comprising a waterproof film and foam attached thereto (col. 2, lines 26-30). Further, the foam or sponge layer may be provided with a plurality of intersecting grooves for venting purposes (col. 3, lines 8-15). As shown in figure 5, a salvage edge (16) of the laminate allows the formation of passageways between panels of foam. Clarvoe teaches the advantage of using an insulation panel having salvage edge that is interconnected to a network of channels for aiding in the venting of moisture. Therefore, it would have been obvious to one of ordinary skill in the art to utilize Clarvoe's teaching of an insulation panel with an edge that is parallel to a set of channels in the invention of Elder.

20.

Any inquiry concerning this communication should be directed to Nasser Ahmad at telephone number (703) 308-4411.


ELLIS P. ROBINSON
SUPERVISORY PATENT EXAMINER
ART UNIT 158

NA.
NAhmad/tms
March 19, 1991